

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 17417

PERMIT 11498

LICENSE 6748

ORDER ALLOWING CHANGE IN CHARACTER OF USE

WHEREAS License 6748 was issued to Boyd, Joseffa and Jo Ann Stewart and was recorded with the County Recorder of Marin County on June 7, 1963, at page 526, Volume 1693, of the official records, and

WHEREAS the State Water Rights Board has found that the change in character of use under said license for which petition was submitted on March 16, 1964, will not operate to the injury of other legal user of water, and

WHEREAS the Board has approved and allowed said change and has directed that an order be issued to change the character of use in accordance with said petition;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the character of use under said License 6748 to a character of use as follows, to wit:

RECREATIONAL USES.

WITNESS my hand and the seal of the State Water Rights Board of the State of California this 21st day of August, 1964



L. K. Hill
L. K. Hill
Executive Officer

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STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 17417

PERMIT 11498

LICENSE 6748

THIS IS TO CERTIFY, That

Boyd Stewart, Joseffa Stewart and Jo Ann Stewart
c/o Pillsbury, Madison and Sutro
225 Bush Street
San Francisco, California

Notice of Change (Over)

have made proof as of May 18, 1962,
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
two unnamed streams in Marin County

tributary to Olema Creek

for the purpose of industrial use

under Permit 11498 of the State Water Rights Board and that said right to the use of said water has been perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the terms of the said permit; that the priority of the right herein confirmed dates from January 7, 1957, and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed one-tenth (0.1) cubic foot per second from point (1) and six-hundredths (0.06) cubic foot per second from point (2) by direct diversion to be diverted from January 1 to December 31 of each year and thirty-five (35) acre-feet per annum by off-stream storage to be collected from about November 1 of each year to about May 31 of the succeeding year; provided however that no water shall be diverted under this license from about June 1 to about October 31 of each year except the amount reasonably required to offset evaporation and seepage losses from licensees' log pond.

The maximum rate of diversion to off-stream storage has been 0.2 cubic foot per second.

Licensees shall at all times so limit their diversions from their northerly unnamed source (Point 2) as to permit the satisfaction of such prior rights as Frank Santori or his successors may possess to divert from that stream for use on his property

The points of diversion of such water are located :

- (1) South thirty-nine degrees thirty minutes west (S39°30'W) forty-five (45) feet from NE corner of Lot 40, Fivebrooks Subdivision One, being within NW $\frac{1}{4}$ of projected Section 20, T2N, R8W, MDB&M.
- (2) South eighty-eight degrees forty-five minutes west (S88°45'W) sixty-five (65) feet from most easterly corner of Lot 16, Fivebrooks Subdivision One, being within NW $\frac{1}{4}$ of projected Section 20, T2N, R8W, MDB&M.

A description of the lands or the place where such water is put to beneficial use is as follows:

Within NW $\frac{1}{4}$ of projected Section 20, T2N, R8W, MDB&M.

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

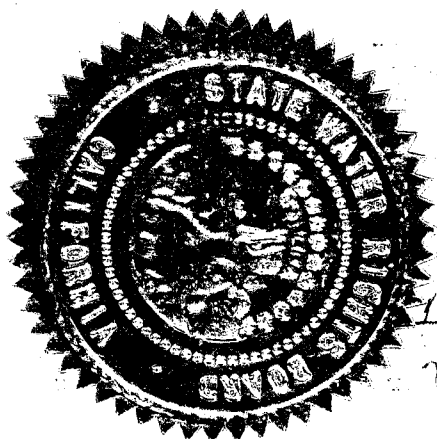
Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: JUN 6 1963



L. K. Hill
L. K. Hill
Executive Officer

12-13-71 RECEIVED NOTICE OF ASSIGNMENT TO

National Park Service

LICENSE 6748

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO
Boyd Stewart, Joseffa Stewart and
Jo Ann Stewart

JUN 6 1963

DATED